THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.20122 of 2005

13.9.2005

Between:

1. Botcha Krishna Rao, S/o.Late Sanyasi, Srikrishnapuram,

Mudasaralova, Chinagadili Mandal, Visakhapatnam District

And others.

… Petitioners.

AND

1. The Municipal Corporation, Visakhapatnam, rep. By its

Commissioner, Visakhapatnam.

And others.

… Respondents.

ORDER:

It is brought to the notice of this Court that applications under Section 11 of A.P. (Andhra Area) Estates (Abolition and Conversion into Ryotwari) Act 1948 (the Act, for brevity) are pending before the Joint Collector and Settlement Officer, Visakhapatnam and that these applications are filed by Sri Kasi Ramu and others claiming ryotwari pattas in respect of lands in Survey Nos.26 and 27 of Mudasarilova village. The petitioners allege that from 1977 onwards they have been in possession of the land. If so advised, they can appear before the Joint Collector and file appropriate applications for being heard in the enquiry under Section 11 of the Act. It is also open to the petitioners to obtain appropriate orders from the Joint Collector, after producing necessary proof. In this writ petition, the petitioners' right can not be enforced especially when learned Assistant Government Pleader for Revenue (Assignment) and learned Standing Counsel for Municipal Corporation, on instructions, submit that the land in these survey numbers is the land belonging to Mudasarlova Water Tank.

Giving liberty to the petitioners to approach the Joint Collector and file appropriate applications, the writ petition is disposed of. No costs.

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(**V.V.S.RAO,J**)

September 13, 2005.

NOTE:

Issue copy of the

Order by 19.9.2005.

(B/o)

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